

ZB# 01-12

Lewis Langer

48-4-37

Prelim.

Apr. 9, 2001

Public Hearing:

April 23, 2001

Granted

Refund:

\$247.00

#01-12 - hanger, Stacy

Area 48-4-37

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Langer, Stacy

FILE# 01-12

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 4/9/01 - 2 pgs \$ 9.00
2ND PRELIMINARY- PER PAGE 4/23/01 - 2 pgs \$ 9.00
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 18.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 4/9/01 \$ 35.00
2ND PRELIM. 4/23/01 \$
3RD PRELIM. \$
PUBLIC HEARING. \$
PUBLIC HEARING (CONT'D) \$
TOTAL \$ 35.00

MISC. CHARGES:

..... \$
TOTAL \$ 53.00

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT .. \$ 247.00

*Paid ck # 2155
Paid ck # 2156
4/10/01*

Date Apr 30, 2001

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Lewis Langer DR.

4262 NW 54th Street
Coconut Creek, FL 33073-4003

[illegible]

LEWIS LANGER
EMILY M. LANGER
4262 NW 54TH ST. PH. 954-421-3132
COCONUT CREEK, FL 33073-4003

Date 4/4/01

2155
63-8413/2670

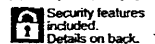
PAY TO
THE ORDER OF

To New Windsor

\$ 50

Fifty Dollars & ^{no}/_{xx}

DOLLARS



WASHINGTON MUTUAL BANK, FA
PARKLAND FINANCIAL CENTER 1754
6500 N. STATE RD. 7 COCONUT CREEK, FL 33073
1-800-788-7000 24 HOUR CUSTOMER SERVICE

FOR

Various Appl. Fee

[Signature]

MP

⑆267084131⑆177⑆372020⑆6⑆ 2155

LEWIS LANGER
EMILY M. LANGER
4262 NW 54TH ST. PH. 954-421-3132
COCONUT CREEK, FL 33073-4003

Date 4/4/01

2156
63-8413/2670

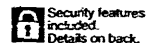
PAY TO
THE ORDER OF

To New Windsor

\$ 300

Three Hundred Dollars & ^{no}/_{xx}

DOLLARS



WASHINGTON MUTUAL BANK, FA
PARKLAND FINANCIAL CENTER 1754
6500 N. STATE RD. 7 COCONUT CREEK, FL 33073
1-800-788-7000 24 HOUR CUSTOMER SERVICE

FOR

Escrow Fee

[Signature]

MP

⑆267084131⑆177⑆372020⑆6⑆ 2156

-----X
In the Matter of the Application of

LEWIS LANGER

MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE

#01-12.
-----X

WHEREAS, LEWIS LANGER, 42 Faye Avenue, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 5 ft. side yard and 5 ft. rear yard variance for an existing shed located on the above parcel in an R-4 zone; and

WHEREAS, a public hearing was held on the 23rd day of April, 2001 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared by Ms. Stacey Langer; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, none of the spectators spoke in favor of or in opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) Applicant seeks a variance for an existing shed on the premises

(c) The shed is constructed on a foundation permanently affixed to the ground.

- (d) The shed has been in existence for 15 years during which time there have been no complaints, either formal or informal, about the shed.
- (e) The shed does not create any water hazards, ponding or collection of water.
- (f) The shed is not on top of nor does it interfere with any water or sewer easements.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variance requested is substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.
4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variance is granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 5 ft. side yard and 5 ft. rear yard variance for an existing shed at

the above location in an R-4 zone as sought by the Applicants in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicants.

Dated: June 11, 2001.



Chairman

Pls. publish ASAP. Send bill to: Stacy Langer
c/o SNL Solutions Inc.
843 Union Ave.
N.W.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 12

Request of Lewis Langer

for a VARIANCE of the Zoning Local Law to Permit:

existing shed w/ insufficient rear & side yards;

being a VARIANCE of Section 48-14-Supplemental Yard Regs.

for property situated as follows:

42 Jaye Avenue, New Windsor, N.Y.

known and designated as tax map Section 48, Blk. 4 Lot 37

PUBLIC HEARING will take place on the 23rd day of April, 2001 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman

By: Patricia A. Corsetti, Secy.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

01-12
Date: 4/4/01

I. ✓ Applicant Information:

- (a) Lewis Langer, 42 Faye Ave, New Windsor, N.Y. X
(Name, address and phone of Applicant) (Owner)
(b) _____
(Name, address and phone of purchaser or lessee)
(c) _____
(Name, address and phone of attorney)
(d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- () Use Variance () Sign Variance
(X) Area Variance () Interpretation

III. ✓ Property Information:

- (a) R-4 Same as above. 48-4-37 65x 275 x 112
(Zone) (Address) (S B L) (Lot size)
(b) What other zones lie within 500 ft.? _____
(c) Is a pending sale or lease subject to ZBA approval of this application? No.
(d) When was property purchased by present owner? 9/12/79.
(e) Has property been subdivided previously? No.
(f) Has property been subject of variance previously? No.
If so, when? _____
(g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No.
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow: _____
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-14, ~~Table of~~ Supp. Yard Regs., ~~Col.~~ _____.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. <u>10 ft.</u>	<u>5 ft.</u>	<u>5 ft.</u>
Reqd. Rear Yd. <u>10 ft.</u>	<u>5 ft.</u>	<u>5 ft.</u>
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

There will be no change to the property in question since it is residential in nature.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: *N/A*

(a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation: *N/A*

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

N/A

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$50.00 and the second check in the amount of \$300.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: 4/4/01

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

John J. Kasper
(Applicant)

Sworn to before me this

4th day of April 2001.

XI. ZBA Action:

(a) Public Hearing date: _____

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434

Qualified in Orange County
Commission Expires August 31, 2001.

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

-----X

In the Matter of the Application for Variance of

Stacy Langer

01-12.

AFFIDAVIT OF
SERVICE
BY MAIL

-----X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at
7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 10 day of April, 20 , I compared the 24
addressed envelopes containing the Public Hearing Notice pertinent to this case
with the certified list provided by the Assessor regarding the above application
for a variance and I find that the addresses are identical to the list received. I
then caused the envelopes to be deposited in a U.S. Depository within the Town
of New Windsor.

Patricia A. Corsetti

Notary Public

Sworn to before me this

____ day of _____, 20____.

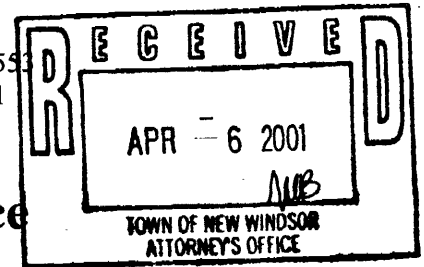
Notary Public



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office



April 5, 2001

Stacie Langer Kremper
843 Union Ave
New Windsor, NY 12553

Re: 48-4-37

Dear Ms. Kremper,

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/bw
Attachments

CC: Pat Corsetti, ZBA

97-1-18.2

State of New York
✓ Office of Financial Administration
Att: Colin Campbell
5th Fl. A.E. Smith Bldg
Albany, NY 12236

37-1-20

✓ Tarsio Realty Associates
C/o Pat Tarsio Lanes
115-119 So. Plank Rd
Newburgh, NY 12550

37-1-25; 26; 27; 28; 29; 30;
48-4-39; 48-4-40

✓ Mary Bonura
87 Rte 9W South
Newburgh, NY 12550

37-1-31.1; 31.2; 31.3; 32; 33;

✓ Joseph Bonura
101 Route 9 W South
New Windsor, NY 12553

37-1-34

✓ Windsor Enterprises, Inc.
5020 Route 9 W
Newburgh, NY 12550

37-1-67

✓ Saw Mill Sports Mgmt Corp.
2902 NYS 9 W
New Windsor, NY 12553

47-1-55

✓ Maxine & Thomas Petro
22 Garden Drive
New Windsor, NY 12553

47-1-56

✓ Jeanne Finkenaar
24 Garden Drive
New Windsor, NY 12553

47-1-77

✓ Frances & Clayton Oestrich
28 Faye Ave
New Windsor, NY 12553

47-1-78; 47-1-79

✓ Marilyn & Joseph Cuccia
32 Faye Ave
New Windsor, NY 12553

47-1-80

✓ Kathryn & Christopher Craig
34 Faye Ave
New Windsor, NY 12553

47-1-81

✓ Christopher Noto
36 Faye Ave
New Windsor, NY 12553

47-1-82

✓ Felicia & Michael Witkowski
38 Faye Ave
New Windsor, NY 12553

47-1-83

✓ Maria & Izrail Asinovsky
48 Pearce Parkway
Pearle River, NY 10965

48-1-25

✓ Florence May Slater
23 Nee Ave
Newburgh, NY 12550

48-4-12

✓ Margaret & James Kiernan
22 Nee Ave
New Windsor, NY 12553

48-4-14

✓ Dolores Wilkinson
26 Nee Ave
New Windsor, NY 12553

48-4-15

✓ Alfred Ciarimbali
30 Nee Ave
New Windsor, NY 12553

48-4-16

✓ Phillis & John Lisi
34 Nee Ave
New Windsor, NY 12553

48-4-17

✓ Mary Louise & Charles Foti
33 Faye Ave
New Windsor, NY 12553

48-4-19

✓ Florinda & Robert Jarvis
31 Faye Ave
New Windsor, NY 12553

48-4-22

✓ Tillie & Louis Talerico
29 Faye Ave
New Windsor, NY 12553

48-4-24

✓ Susan & Grainger Kirth
25 Faye Ave
New Windsor, NY 12553

48-4-38.

✓ Jean & Myron Langer
44 Faye Ave
New Windsor, NY 12553

THIS INDENTURE, made the 22 day of September, nineteen hundred and seventy-nine

BETWEEN: MARILYN HANKIN, residing at 20 Whitehall Road,
Poughkeepsie, New York and
BARBARA H. TIRSCHWELL, residing at 11 Lisa Lane,
New City, New York, d/b/a
NEW WINDSOR ASSOCIATES,

party of the first part, and

William A. Langer, his wife
LEWIS LANGER, residing at 9 Bridle Path,
Newburgh, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

Ten ----- dollars,

lawful money of the United States,

paid

by the party of the second part, does hereby grant and release unto the party of the first part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Town of New Windsor, County of Orange, State of
New York shown and designated as Lot 4 on the filed subdivision
map of "VALLEY VIEW ACRES" filed in the Orange County Clerk's
office on February 28, 1979 as Map #4830.

MR2144 PAGE 239

1212144 NE 240

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever, as *tenants by the entirety*.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this instrument so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

In presence of:

Marilyn R. Hankin
MARILYN HANKIN

Barbara H. Tirschwell
BARBARA H. TIRSCHWELL

On the 13 day of September 1979, before me personally came

MARILYN HANKIN

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

[Signature]
Notary Public, State of New York
Qualified in Rockland County
Commission Expires March 30, 1980

STATE OF NEW YORK, COUNTY OF

On the 19 day of 19 before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

On the 13 day of September 1979, before me personally came

BARBARA H. TIRSCHWELL

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

[Signature]
Notary Public

DONALD TIRSCHWELL
Notary Public, State of New York
Qualified in Rockland County
Commission Expires March 30, 1980

STATE OF NEW YORK, COUNTY OF

On the 19 day of 19 before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

Bargain and Sale Deed
WITH COVENANT AGAINST CLEANTON'S ACTS

Title No.

Marilyn Hankin and Barbara H. Tirschwell

TO

Lewis Langer

SECTION 48
BLOCK 4
LOT 37

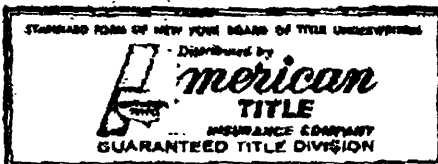
TOWN OF NEW WINDSOR

Provided At Request of American Title Insurance Company

Charge RETURN BY MAIL TO:

HERBERT PRASHENHUM ESQ.
5, Meadow Hill Road
Newburgh N.Y.

29 No. 1255

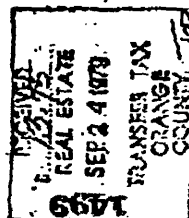


A Member of The Continental Insurance Companies

THIS SPACE FOR USE OF RECORDING OFFICE

LIB 2144 PAGE 241

SEP 14 2001 13:28



Orange County Clerk's Office
Recorded on the 19th day of September 1979 at 1:15 PM
at the Office of the Clerk
and Examined
at page 241

[Signature]

914 2949581

PAGE 04

** TOTAL PAGE.03 **

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#320-2001

04/10/2001

Langer, Lewis & Emily

Received \$ 50.00 for Zoning Board Fees, on 04/10/2001. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

Date4/27/01....., 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 W. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
4/23/01		Zoning Board Mtg	75 00	
		Misc. 2		
		Mans, C.P. - 6		
		Merced - 2		
		Waldo - 2		
		Bolts - 5		
		Langer - 2	85 50	
		19		
			160 50	

PUBLIC HEARING

LANGER, LEWIS

MR. TORLEY: Let the record show there's no one in the audience for this matter. Request for 5 ft. side yard and 5 ft. rear yard variances for existing shed at 42 Faye Avenue in an R-4 zone.

Ms. Stacey Langer appeared before the board for this proposal.

MS. CORSETTI: On April 10, Michele sent out 24 addressed envelopes with the public hearing notice contained therein and we didn't receive anything back.

MR. TORLEY: All right, what is it you want to do?

MS. LANGER: I applied for a variance for a shed, an existing shed on my grandfather's property, it has insufficient setback.

MR. TORLEY: Was the shed on a foundation?

MS. LANDER: Oh, yes.

MR. TORLEY: So it would be economically infeasible to move the shed to comply with the zoning?

MS. LANGER: Yes.

MR. KANE: How long has the shed been existing?

MS. LANGER: Fifteen plus years.

MR. KANE: Any water hazards created, runoff created whatsoever?

MS. LANGER: Nothing that I'm aware of.

MR. KANE: Any complaints from your neighbors, formal or informal?

MS. LANGER: No, sir, not that I'm aware of, it's not my property.

MR. TORLEY: And no one in the audience so we can open and close the public hearing.

MR. KANE: Cutting down any trees or anything along those lines?

MS. LANGER: No.

MR. TORLEY: It's not over any easements?

MS. LANGER: Not that I'm aware of.

MR. TORLEY: There's nothing in your deed of record that shows easements on the property that this shed is sitting on?

MR. BABCOCK: Mr. Chairman, I have a survey in my file here that shows a sewer easement going through the property, that's the only one that appears to be on the plan and the shed is nowhere near that location.

MS. LANGER: It's on the opposite side of the property.

MS. CORSETTI: I don't see anything in the deed either.

MR. KANE: Accept a motion?

MR. TORLEY: Yes.

MR. KANE: I move that we approve the requested variance of Lewis Langer at 42 Faye Avenue.

MR. REIS: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

Date 7/2/01 19.....

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Frances Roth DR.

.....Frances Roth
168 N. Drury Lane
.....Newburgh, N.Y. 12550

DATE		CLAIMED	ALLOWED
9/01	Zoning Board	75	00
	Misc. - 2		
	Langer - 2		
	Pila Family K-Mart - 3		
	" " " - 4		
	" " " - 4		
	Arguido/Lynn - 14	130	50
	29		
		205	50

PRELIMINARY MEETING

LANGER, STACY

TORLEY: Request for 5 ft. side yard and 5 ft. rear yard variance for existing shed at 42 Faye Avenue in an R-4 zone.

Mr. Stacy Langer appeared before the board for this proposal.

MS. LANGER: This is my grandfather's property and I have a power of attorney, he has an existing shed on the property which he did not obtain permits for at the time that it was built. I don't know if he was unaware, I'm unclear, he's 85 years old but I took, went down today, took pictures of the shed, I have my information, I don't know exactly--

MR. KANE: How long has the shed been up?

MS. LANGER: As far as I know, at least 15 years.

MR. TORLEY: You haven't had any complaints from the neighbors?

MS. LANGER: No, sir.

MR. KANE: Any creation of water hazards or drainage problems from the shed being there?

MS. LANDER: No, sir.

MR. KANE: Other neighbors in the area have similar sheds on their property, not identical?

MS. LANGER: Yes, I've driven down the street and seen sheds in the back yards.

MR. TORLEY: I guess you've seen the tax maps, it's a rather odd shaped lot.

MR. KANE: Yes.

MR. TORLEY: Any questions at this time?

April 9, 2001

3

MR. MC DONALD: No.

MR. KANE: I move that we set up Stacy Langer for a public hearing on requested variance.

MR. MC DONALD: Second it.

(Whereupon, Mr. Reis entered the room.)

ROLL CALL

MR. KANE	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. TORLEY	AYE

48-2-20 MARCANO, DOMINGO INTERPRETATION/AREA GRANTED: 06/26/00
53 LAFAYETTE DRIVE #00-22 R-5 ZONE
REQUEST GRANTED FOR A 40 FT. 6 IN. FRONT YARD VARIANCE FOR EXISTING DECK AND
INTERPRETRATION OF EXISTING SINGLE-FAMILY RESIDENCE AT 53 LAFAYETTE DRIVE. ZBA DETERMINED
THAT THE RESIDENCE IS A SINGLE-FAMILY ONLY AND CANNOT BE USED AS A TWO-FAMILY RESIDENCE.

48-3-2.2 TOYOTA OF NEWBURGH, INC. USE/AREA #85-39 GRANTED
96 ROUTE 9W N.C. FRONT/R-5 REAR 11/85
REQUEST FOR (1) 20 FT. FRONT YARD VARIANCE ON RT. 9W, (2) 20 FT. FRONT YARD ON
LAFAYETTE FOR CONSTRUCTION OF I STORY STRUCTURE FOR AUTO SERVICE AND REPAIR, PLUS
(48-2.6.2) 6 FT. BUILDING HEIGHT VARIANCE FOR CONSTRUCTION OF NEW TWO-STORY
STRUCTURE FOR AUTO PARTS SALES AND OFFICE TOGETHER WITH USE VARIANCE FOR CAR
STORAGE IN R-5 ZONE.

48.3.3.1 TOYOTA OF NEWBURGH, INC. SIGN VARIANCE GRANTED
2934 (96) ROUTE 9W #97-41 SIGN VARIANCE 11/24/97

REQUEST FOR 17 FT. SIGN WIDTH VARIANCE FOR FACIA SIGN WHICH WILL BE LETTERS "TOYOTA
NEWBURGH" WITH LOGO ON MAIN BUILDING FACING ROUTE 9W. FOR OTHER VARIANCES PREVIOUSLY
GRANTED, SEE ZBA DISK #11.

48-4-11 WELLER, FRED AREA VARIANCES GRANTED
06/08/98

18 NEE AVENUE #98-20 R-4 ZONE
REQUEST FOR 8 FT. SIDE YARD AND 6 FT. REAR YARD VARIANCE FOR EXISTING 12 X 12 FT.
SHED AT ABOVE RESIDENCE.

48-4-37 LANGER, LEWIS AREA VARIANCES GRANTED: 04/23/01
42 FAYE AVENUE R-4 ZONE #01-12
REQUEST GRANTED FOR 5 FT. SIDE YARD AND 5 FT. REAR YARD VARIANCES FOR AN EXISTING
SHED AT 42 FAYE AVENUE IN AN R-4 ZONE.

49-4-5 VASQUEZ, CARLOS AREA VARIANCES GRANTED
18 PROVOST DRIVE #96-19 R-4 ZONE 07/08/96
REQUEST FOR I FT. 7 IN. REAR YARD VARIANCE FOR EXISTING ADDITION AND I FT. 6 IN. SIDE
YARD PLUS 3 FT. 4 IN. REAR YARD VARIANCES FOR EXISTING SHED LOCATED AT ABOVE RESIDENCE. ALL
VARIANCES GRANTED.

49-5-14 HUNSINGER, HUGH INTERPRETATION OF NON-CONFORMING USE GRANTED: 09/11/00
754 BLOOMING GROVE TPK. #00-24 R-4 ZONE
REQUEST FOR INTERPRETATION OF NON-CONFORMITY OF DENTAL OFFICE. ZBA FOUND THAT
THE DENTAL OFFICE HAS BEEN IN OPERATION SINCE BEFORE ZONING. PREVIOUS TO THAT
SCHOONMAKER BROTHERS HAD THEIR OFFICE

50-2-13 ANDREWS, RICHARD & RUTH AREA VARIANCE GRANTED
17 CANTERBURY LANE - R-3 ZONE #96-44 01/13/97
REQUEST FOR 15 FT. FRONT YARD VARIANCE FOR EXISTING FRONT PORCH AT 17 CANTERBURY
LANE IN AN R-3 ZONE.

51-1-64 WOLF, ZEY AREA VARIANCE GRANTED: 08/09/99

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelims.
Apr. 09, 2001
#01-12

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 3/21/01

APPLICANT: Lewis Langer
42 Fay Avenue
New Windsor, NY 12553

stacy
562-1765

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing 8x12 Shed

LOCATED AT: 42 Fay Avenue

ZONE: R-4 Sec/ Blk/ Lot: 48-4-37

DESCRIPTION OF EXISTING SITE: Existing one family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 8x12 shed does not meet minimum side and rear yard set back of 10ft.


BUILDING INSPECTOR

PERMITTED 10ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 48-14-A-1-B

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

5ft

5ft

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

5ft

5ft

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A.. APPLICANT. FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation Inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: _____

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Lewis Langer
Address 42 Faye Avenue Fax _____
Phone 367-1765
Mailing Address 843 Union Avenue NEW Windsor NY 12553
Name of Architect Please mail info to above address: c/o SNL SOLUTIONS INC.
Address _____ Phone _____
Name of Contractor _____
Address _____

567-1765

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the _____ side of 42 Faye Avenue
(N,S,E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 48 Block 4 Lot 37

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒

6. Is this a corner lot? No Existing Shed 8x10

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

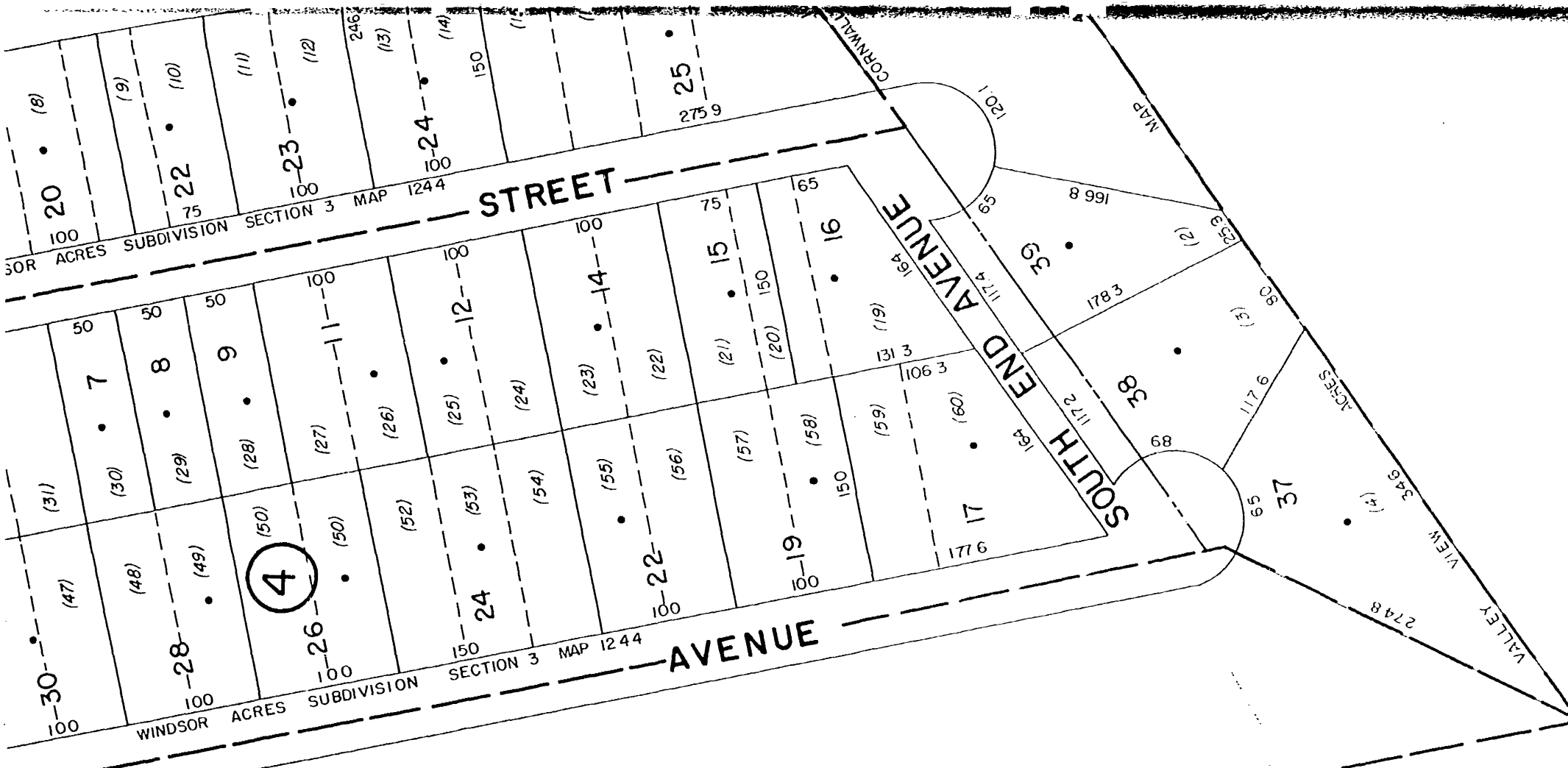
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee _____

PAID

Ch # 2161
3/26/01



33300